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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 Zumba Fitness, LLC,) CV 11-05347-RSWL (FMOx)
12 Plaintiff,)
13 vs.) ORDER Re: Plaintiff's
14) Motion for Default
15 Walter Perissutti) Judgment by Court [17]
16)
17 Defendant.)
18)

19 On November 8, 2011, Plaintiff Zumba Fitness, LLC's
20 ("Plaintiff") Motion for Default Judgment came on for
21 regular calendar before the Court [17]. The Court
22 having reviewed all papers submitted pertaining to this
23 Motion and having considered all arguments presented to
24 the Court, **NOW FINDS AND RULES AS FOLLOWS:**

25 Plaintiff's Application for Default Judgment is
26 hereby **GRANTED**. The Court finds that Plaintiff has
27 satisfied all procedural requirements necessary under
28 Local Rule 55-1 for entry of default judgment.

1 Specifically, the Court finds that on August 1, 2011,
2 the clerk entered the default of Defendant Walter
3 Perissutti ("Defendant"); Defendant is not an infant
4 or incompetent person or in military service or
5 otherwise exempted under the Soldiers' and Sailors'
6 Civil Relief Act of 1940; and Defendant did not appear
7 in this action. Further, the Court finds that the
8 substantive factors set forth in Eitel v. McCool, 782
9 F.2d 1470 (9th Cir. 1986) weigh in favor of granting
10 default judgment. In addition, the Court finds that
11 Defendant committed acts of willful copyright and
12 trademark infringement; as such, an increased statutory
13 damages award is appropriate under the Copyright Act
14 § 504(c)(2) and Trademark Act § 1117(c)(2).

15 THEREFORE, IT IS ORDERED that:

16 Default judgment be entered against Defendant
17 Walter Perissutti for damages in the amount of
18 \$430,000.00, Plaintiff's attorney's fees in the amount
19 of \$5,600.00, and costs of suit in the amount of
20 \$669.31. This judgment shall bear interest at the
21 judgment rate from the date of entry until paid.
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23 **IT IS SO ORDERED.**

24 DATED: November 9, 2011.

25 RONALD S.W. LEW

26 **HONORABLE RONALD S.W. LEW**

27 Senior, U.S. District Court Judge
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